



Special Education Advisory Committee Budget Task Force

Budget Review and Recommendations

Preliminary Report

(January 20, 2020)

This report contains recommendations from the first Task Force meeting and its contents are subject to revision and expansion. We are making this information available to support the School Board and community throughout the budget development process.

Prepared For:
SEAC Membership
Special Education Community
Loudoun County School Board

Summary of Concerns and Recommendations

Concern 1: The Proposed Budget adds additional supervisory positions instead of expanding direct services and programs for students

Concern 2: The Proposed Budget does not contain *any* provision for the expansion in the budget for related service providers, there are not enough providers based on proportional growth

Concern 3: Career and transition services, post-graduation programs are a perennial SEAC concern and a concern of the Ad-Hoc Committee on Special Education

Recommendation 1: Adopt the proposed increases to the number of Special Education Teachers and Teaching Assistants (SEAC Annual Report recommendation 2).

Recommendation 2: Add related service provider FTEs (e.g., Speech-Language Pathologists, Occupational Therapists, Physical Therapists), no less than proportional to the Teacher and Teaching Assistant increases (SEAC Annual Report recommendation 2).

Recommendation 3: Remove the proposed addition of supervisory staff (1.0 FTE Special Education Supervisor, 20.5 FTE Deans) (Ad Hoc Committee on Special Education Recommendation 7).

Recommendation 4: Add FTE and contract costs as necessary to implement specific training for Special Education substitute teachers and substitute teaching assistants (Ad Hoc Committee on Special Education Recommendation 12).

Recommendation 5: Adopt the proposed increases to the number of Special Education Teachers – Transition and Job Coaches – Transition. (Ad Hoc Committee on Special Education Recommendation 9; SEAC Annual Report recommendation 9)

Recommendation 6: Add regional facilities, contract, and transportation costs to build fully formed programs to address long-standing concerns with transition and post-LCPS life. (Ad Hoc Committee on Special Education Recommendation 9; SEAC Annual Report recommendation 5)

Recommendation 7: Allocate funding under the School Board budget for SEAC's Annual Survey and operating expenses as an independent source of advice to the School Board (SEAC Annual Report recommendation 6).

1. Introduction

a. Role of SEAC

The Regulations Governing Special Education Programs for Children with Disabilities in Virginia reflect the state and federal requirements for the provision of special education and related services. The regulations outline the functions of the SEAC, as specified by Section 8VAC20-81-230 (D)(2), and are as follows:

- a. Advise the local school division of needs in the education of students with disabilities;
- b. Participate in the development of priorities and strategies for meeting the identified needs of students with disabilities;
- c. Submit periodic reports and recommendations regarding the education of students with disabilities to the division superintendent for transmission to the local school board;
- d. Assist the local school division in interpreting plans to the community for meeting the special needs of students with disabilities for educational services;
- e. Review the policies and procedures for the provision of special education and related services prior to submission to the local school board; and
- f. Participate in the review of the local school division's annual plan.

This report is provided pursuant to requirements a and b above.

b. Issue Background and History

In past years, SEAC has produced an extensive Annual Report for the School Board, containing significant community feedback, concerns, and recommendations for meeting the needs of students with disabilities, based on information obtained by SEAC during the preceding school year and current special education community feedback. This report was submitted and presented to the School Board on December 3, 2019, near the end of the calendar year.

The past few LCPS budgets have proposed substantial increases to the Special Education and broader Pupil Services budgets. Members of the outgoing School Board have told SEAC and the public that they support Special Education and have voted for those increases. However, subjective and objective data from the SEAC Annual Survey and other sources show a sustained trend of decline in satisfaction with Special Education.

The Budget Task Force was proposed to support the budget process by reviewing the reported needs of the Special Education community, review the budget and provide feedback on alignment, and advise the School Board to help it meet its obligations. The Task Force consists of any SEAC voting members who volunteer to serve on it. Meetings are open to the public, everyone in the community is encouraged to attend, and public comment may also be submitted by email.

The Budget Task Force was chartered by a unanimous vote of the SEAC at the January 8, 2020 business meeting. Also at that meeting, by unanimous vote of the SEAC, the Task Force was delegated the authority to make recommendations on behalf of the SEAC, due to the need to provide the School Board with timely feedback before the next SEAC business meeting on February 5. Although the recommendations of the Task Force's will already have been submitted to the School Board, they will be presented to the full SEAC membership for public discussion and a reconfirming vote.

2. Concerns

Concern 1: The Proposed Budget adds additional supervisory positions instead of expanding direct services and programs for students.

Disposition: Approved unanimously.

A review of past LCPS budgets shows significant increases in non-school based administrative, specialist, and support positions. Conversely, increases for Special Education Teachers, Teaching Assistants, and related service providers have often been limited to proportional staffing standards.

Along with the increase in supervisory positions has been the creation of two entirely new layers of supervisors. First, LCPS has created the in-school Special Education deans, whose roles and responsibilities appear to have some duplication with the Special Education Supervisors, though the number of the latter have also been increased. Second, in the FY20 budget, Pupil Services requested, and the School Board added an additional layer of administrators in the form of two Assistant Directors.

The Ad Hoc Committee on Special Education's recommendation number 7 (page 13 of 18) *"Develop a staffing standard to hire special education deans to support expanded specialized programs at the middle school and elementary school levels."*; the budget proposal contains neither the standard nor identified the new programs. SEAC recommends not hiring these deans in FY21 until the staffing standards and programs have been created and identified. SEAC recommends deferring this budget item to FY22 after fully developing the FTE staffing standard and specific programs have been identified.

SEAC has received many concerns with the level of IEP development and related services provided through the IEP. Among the reasons for this are a lack of Special Education (teachers/assistants) and related services (e.g., Speech-Language, Occupational Therapy, Physical Therapy). SEAC has also received many concerns that IEPs offered and consented to are often not actually implemented. These concerns are captured in SEAC's Annual Report School Board Action Items Recommendation 2. *"Examine staffing levels to identify the decrease in special education staff and supports; address the shortage of special education teachers, teaching assistants and related service professionals."* And Special Education Recommendation 2. *"Review High School and Middle School service delivery efficacy"* and Recommendation 5. *"Develop a Quality Assurance Program."*

During the December 3, 2019 presentation of the SEAC Annual Report, outgoing School Board member, Eric Hornberger also stated the School Board gets many emails regarding IEP's not being implemented.

Concern 2: The Proposed Budget contains no provision for the expansion in the budget for related service providers, there are not enough providers based on proportional growth.

Disposition: Approved unanimously.

An often-used phrase that comes directly from the relevant laws and regulations is, "Special Education and related services." The former primary refers to a student's placement and to services directly provided by Special Education Teachers and Assistants. The latter refers to specific services, provided by specialist professionals, necessary to provide a Free Appropriate Public Education to every eligible student. These specialists such as Speech-Language Pathologists, Occupational Therapists, and Physical Therapists to name a few.

SEAC has received many reports that these related services appear to have been especially targeted for reduction in IEPs. Students with obvious needs for these services have routinely been refused them by LCPS, and students who used to receive these services from LCPS are routinely offered new IEPs that significantly decrease the proposed level of services. These services are professional specializations requiring specific, often Master or Doctoral level, courses of study, and often are licensed professions whose practice is regulated by law.

In our review of past and proposed LCPS budgets, the Task Force was concerned that the related service provider positions did not appear to be increasing proportionally to Special Education student population growth by staffing standard in the same way that staff such as Special Education Teachers would. The lack of proportional increases is, on average, a net cut.

Concern 3: Career and transition services, post-graduation programs are a perennial SEAC concern and a concern of the Ad Hoc Committee on Special Education

Disposition: Approved unanimously.

In the IDEA findings, Congress stated that the purpose of IDEA (and therefore, Special Education) includes to, “The purposes of this title are to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.” (Section 1400(d)(1)(A))

Transition and post-LCPS life and job prospects are a perennial, long standing SEAC concerns well documented in the 2017-2018 and 2018-2019 SEAC Annual Reports. SEAC is concerned the proposed budget does not align with Recommendation 9 from the Ad Hoc Committee on Special Education Report and Recommendation 5 from the SEAC Annual Report.

LCPS currently has one career and transition lab at Seneca Ridge Middle School to be utilized for students with intellectual disabilities in middle and high school to support students in developing work-ready and independent living skills. Other regional career and transition labs need to be created to support a wide range of students regionally.

Limits placed on transportation for transition services have limited opportunities for students.

SEAC supports the 1) The creation of Regional Training facilities and support staff to service western Loudoun for training in independent living and pre-employment job skills, 2) Adding dedicated job coaches FTEs to support high school students, and 3) Increase transportation allocation to job/community-based instruction sites.

3. Findings

The Budget Task Force found that the proposed budget does not meet the needs of Special Education Students.

4. Recommendations

Recommendation 1: Adopt the proposed increases to the number of Special Education Teachers and Teaching Assistants.

Recommendation 2: Add related service provider FTEs (e.g., Speech-Language Pathologists, Occupational Therapists, Physical Therapists), no less than proportional to the teacher and Teaching Assistant increases.

Disposition: Both approved unanimously.

Rationale:

The Superintendent's proposed budget proposes to increase the number of Special Education Teachers and Teaching Assistants. We support and recommend adopting these increases. This increase responds to, but does not fully address, Task Force Concern 1 and SEAC Annual Report recommendation 2.

The Superintendent's proposed budget does not appear to propose the additions for related service provider FTEs. We recommend that the School Board add these FTE positions, at least as much as the proportion of additions that are being increased for Special Education Teachers and Assistants. Related service providers are critical components of an appropriate IEP for many Special Education students, and the same arguments for adding capacity for the other direct service providers apply. This increase responds to, but does not fully address, Task Force Concerns 1 and 2, and SEAC Annual Report recommendation 2.

Recommendation 3: Remove the proposed addition of supervisory staff (1.0 FTE Special Education Supervisor, 21.5 FTE Deans)

Disposition: Approved unanimously.

Rationale:

The Superintendent's proposed budget proposes to create 22.5 FTE of new supervisory positions:

1.0 SPED Supervisor – Staffing Standards Growth
1.0 SPED Dean - New School
15.0 SPED Dean, Elementary – Enhancement – Other
5.5 SPED Dean, Middle School – Enhancement – Other

Task Force Concern 1 is that budgets keep adding supervisory positions instead of direct service positions. For example, removal of this addition could be used to fund Task Force Recommendation 2, the addition of related service providers. The Task Force believes that students and teachers would directly benefit from additional direct service providers than additional supervisors. This removal responds to, but does not fully address, Task Force Concern 1.

The Task Force is concerned that the 15.5 SPED Dean – Elementary, and 4.4 SPED Dean – Middle School may be based on a misunderstanding of the Ad-Hoc Committee on Special Education recommendation 7. The recommendation is:

“Develop a staffing standard to hire special education deans to support expanded specialized programs at the middle school and elementary school levels.”

The recommendation was to, “[d]evelop a staffing standard,” not to immediately make those hires. We did not find this staffing standard in the Superintendent’s proposed budget. Further, the purpose of the standard and eventual hires would be to, “support expanded specialized programs,” but we did not find information in the Superintendent’s proposed budget about what those programs are. SEAC, the Task Force, the School Board, and the public, have not been provided sufficient information to justify creating additional supervisory positions at this time, especially not such a large number of them.

The Task Force concluded that creating these Dean positions in the FY21 budget is premature. The staff should develop a staffing standard as recommended by the Ad Hoc Committee on Special Education, as well as defining what these new specialized programs are, and should work with SEAC to bring the School Board a fully formed proposal as part of the Superintendent’s proposed FY22 budget.

With regards to the additional Special Education Supervisor position, again responding to Task Force Concern 1, we recommend that the School Board remove this additional position from the FY21 budget rather than providing more increases to the current supervisory structure. The staff, School Board, and SEAC should engage in a collaborative discussion about why we need multiple layers of supervisors whose roles appear to have overlap, why all three layers have needed significant increases, and how to change the current supervisory structure to increase effectiveness and efficiency.

Recommendation 4: Add FTE and contract costs as necessary to implement specific training for Special Education substitute teachers and substitute teaching assistants.

Disposition: Approved unanimously.

Rationale:

SEAC has received many concerns that IEPs offered and consented to are often not actually implemented. While there are many root causes of this problem, one problem that SEAC and the Ad Hoc Committee on Special Education identified was that substitutes receive little to no Special Education training before being expected to work with special education students. This contrasts sharply with the ever more extensive mandatory and optional training we have deemed necessary to provide to our full-time SPED Teachers (SPED Teachers have to take time away from the classroom for some of that training).

SEAC has received reports from staff who work as substitute teachers and as teaching assistants that they strongly desire special education training before working in a special education program. This training will help keep them, and the students they serve, safe, and so that they know what the right and wrong things to do are when working with disabled students. They report that they are often hired and nearly immediately assigned to work in classrooms, left to “on the job training” as much or as little as the special education teachers are able to provide. We are not providing our substitutes and teaching assistants (depending on when they are hired) with the support they need, and are asking for, to meet the demands that we are placing on them.

Discussions on this subject by the Ad Hoc Committee on Special Education resulted in their recommendation 12:

“Develop and implement training for substitutes that work as substitute special education teachers or special education teacher assistants”.

The Task Force was unable to find any mention in the Superintendent’s proposed budget of the costs of implementing this recommendation. The Task Force is concerned that proper implementation of this recommendation is not a zero-cost undertaking; it should have substantial costs that should be reflected in the budget. Therefore, the Task Force is concerned that the staff does not propose to implement the Ad Hoc Committee’s recommendation.

We recommend that the School Board direct the staff to develop a specific cost proposal to properly implement SPED Ad Hoc Committee recommendation 12, training for SPED substitute teachers and assistants, and add those costs to the adopted budget.

Recommendation 5: Adopt the proposed increases to the number of Special Education Teachers – Transition and Job Coaches – Transition.

Recommendation 6: Add facility, contract, and transportation costs to build fully formed programs to address long-standing concerns with transition and post-LCPS life.

Disposition: Both approved unanimously.

Rationale:

The Superintendent's proposed budget proposes to increase the number of Special Education Teachers for Transition and Job Coaches for Transition. We support and recommend adopting these increases, conditioned on adoption of Recommendation 6. This increase responds to, but does not fully address, Task Force Concern 3, SEAC Annual Report recommendation 9, and Ad Hoc Committee on Special Education Recommendation 9.

The Task Force is concerned that the Superintendent's budget fails to propose all of the budget items we believe are necessary for fully formed transition programs that would be successful. In particular, there is no budget for or mention of facilities, there are no contracted services, and there are no costs for transportation. In response to Task Force Concern 3, it appears that the Superintendent's budget proposes to expand staff, but not to expand independent living and job skill preparation programs with the same restrictions that currently impact students. The Task Force hopes that these additions, along with other program changes that can be made outside of the budget, would result in fully formed transition programs that will begin to meet the needs of our special education students. This addition responds to, but does not fully address, Task Force concern 3, SEAC Annual Report recommendation 5, and Ad Hoc Committee on Special Education Recommendation 9.

Recommendation 7: Add contract costs under the School Board budget to fund SEAC's Annual Survey and operating expenses as an independent source of advice to the School Board.

Disposition: Both approved unanimously.

Rationale:

A theme of Dr. Eric Williams's tenure as superintendent of LCPS has been the transition from an organization where things get done because one key person gets it done to an organization that has sustainable and consistent practices.

Loudoun's SEAC has existed for many years as an all-volunteer committee with a zero-dollar budget. Routine operating costs are borne either through asking for help from of the Special Education office (ultimately coming out of the LCPS budget somewhere) or through community donations and the SEAC members contributing their own money.

The 2018-2019 SEAC Annual Report (page 10 -11) outlined the need to support the SEAC Annual Survey, this is the second year requesting funding. SEAC is again requesting "that the School Board allocate funding to engage an independent research firm to help SEAC develop, implement and analyze the SEAC Annual Parent Survey, beginning in Spring 2020. A survey designed and analyzed by an independent expert will yield more reliable and generalizable results, as well as lessen the demand on SEAC volunteers to conduct a survey of this magnitude. **The current model is not sustainable.** As the SEAC leadership and membership changes over time, SEAC member expertise and experience in conducting research may not be available from the volunteers. To maintain the credibility and trustworthiness of the survey results as perceived by the broader special education community, SEAC discourages the School Board from delegating the construction, administration, analysis and presentation of results to LCPS staff members."

5. References and Documents Considered

[1] SEAC Executive Committee. "2020 Budget Task Force." January 8, 2020.

https://loudounseac.miraheze.org/wiki/File:2020_Budget_Task_Force.pdf

[2] Eric Williams et al.. "FY21 Superintendent's Proposed Budget." January 9, 2020.

https://www.lcps.org/cms/lib/VA01000195/Centricity/Domain/64/FY21%20Budget/01_09_20%20Supts%20Proposed%20Budget/FY21%20Supt%20Proposed%20Budget%20for%20Web.pdf

[3] Eric Williams. "FY21 Superintendent's Proposed Budget." January 9, 2020.

https://www.lcps.org/cms/lib/VA01000195/Centricity/Domain/64/FY21%20Budget/01_09_20%20Supts%20Proposed%20Budget/FY21%20Supt%20Proposed%20Budget%20Presentation.pdf

[4] Loudoun County School Board. "FY20 Adopted Budget." February, 2019.

<https://www.lcps.org/cms/lib/VA01000195/Centricity/Domain/64/FY20%20Budget/07-19-19%20FY20%20Adopted%20Budget/FY20%20Budget%20Book%20for%20Web.pdf>

[5] LCPS Budget Division. "FY15 Appropriated Budgets." July 10, 2014.

<http://lcps.org/cms/lib/VA01000195/Centricity/Domain/64/FY15%20Budget%20Information/FY15%20AppropDocumentJuly102014.pdf>

[6] Fairfax County Public Schools. "Fiscal Year 2021 Proposed Budget." January 10, 2020.

<https://www.fcps.edu/sites/default/files/media/pdf/FY-2021-Proposed-Budget.pdf>

[7] Special Education Advisory Committee. "Annual Report: Systemic Special Education Needs and Recommended Actions: 2019-2019 School Year." November, 2019.

https://loudounseac.miraheze.org/wiki/File:2018-2019_SEAC_Annual_Report.pdf

[8] Ad Hoc Committee on Special Education. "Final Report and Recommendations. June 25, 2019.

https://loudounseac.miraheze.org/wiki/File:Ad_Hoc_Committee_for_SPED_Final_Report_June_25_2019.pdf